

# Notice of Allowability

Application No.

09/762,699

Examiner

Essama Omgba

Applicant(s)

PIETRAS, BERND-GEORG

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed September 1, 2004.
2. ☒ The allowed claim(s) is/are 1-3,5-9,11,12 and 14-27.
3. ☒ The drawings filed on 10 May 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Application/Control Number: 09/762,699

Art Unit: 3726

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-3, 5-9, 11, 12 and 14-27 are allowed.
2. The following is an examiner's statement of reasons for allowance: for claim 1, the prior art does not disclose an apparatus for facilitating the connection of tubulars using a top drive, the apparatus comprising a supporting member for supporting a tool and coupling the tool to the top drive, whereby the tool is rotatable by the top drive, these in combination with the rest of the limitations in the claim. For claim 14, the prior art does not teach a method for facilitating the connection of a first tubular to a second tubular using a top drive, the method comprising engaging the first tubular with a tool attached to the top drive and engaging the top drive to rotate the first tubular relative to the second tubular, these in combination with the rest of the limitations in the claim. For claims 20 and 27, the prior art does not disclose a top drive system comprising a top drive and a structural intermediate or connector operatively coupling a tubular gripping apparatus to the top drive wherein the structural intermediate or connector is adapted to allow the tubular gripping apparatus to move horizontally relative to the top drive and allow the tubular gripping apparatus to be rotated by the top drive, these in combination with the rest of the limitations in the claims. For claim 25, the prior art does not teach an apparatus for facilitating the connection of tubulars using a top drive, the apparatus comprising a means for allowing substantial horizontal movement of a supporting member for supporting a tool, wherein the means comprises a rigid member arranged

Application/Control Number: 09/762,699

Art Unit: 3726

between the plate and the supporting member and arranged on at least one axle, wherein the means comprises at least one arm arranged between the rigid member and the support member and connected thereto by spherical bearings, these in combination with the rest of the limitations in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F (10-7:30) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/762,699

Page 4

Art Unit: 3726

A handwritten signature in black ink, appearing to read 'Essama Omgba', written in a cursive style.

Essama Omgba  
Primary Examiner  
Art Unit 3726

eo  
November 26, 2004